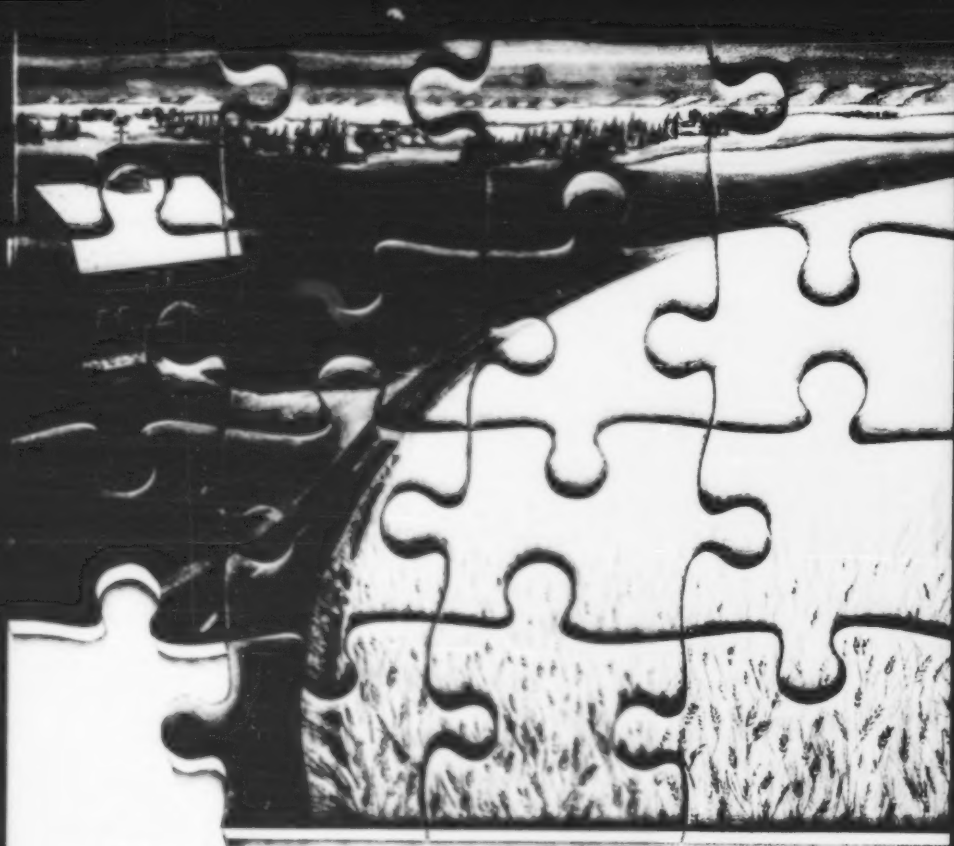




Ontario

**A CITIZEN'S GUIDE
TO ENVIRONMENTAL ASSESSMENT**

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WHAT THIS GUIDE OFFERS

This guide offers a general introduction to environmental assessment in Ontario. It explains the requirements of the **Environmental Assessment Act** and its implications, as well as the opportunities for public involvement throughout the process.

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PURPOSE OF THE ENVIRONMENTAL ASSESSMENT ACT

The **Environmental Assessment Act** provides for the protection, conservation, and wise management of the environment in Ontario. The **Act** is intended to promote good environmental planning and ensure that the public has the opportunity to comment on projects which may affect them. All aspects of the environment are considered in the planning process — natural, social, cultural, economic and technical. The aims of the planning process are:

- To consider positive and negative environmental effects of a project.
- To provide sufficient information and justification to decide among alternatives to a project.
- To allow the Minister of the Environment, or the Environmental Assessment Board, to decide whether or not a project should be approved and how it should be carried out.

An environmental assessment document must be submitted to the Minister of the Environment for review and approval of a project. The document describes the proponent's planning process in evaluating alternatives and their impacts.



The Environmental Assessment Act provides for the wise management of Ontario's environment.

PROJECTS THAT ARE SUBJECT

All projects of Ontario Government Ministries and agencies, and major municipal projects, including public utility commission and conservation authority projects, are subject to the **Act**.

Private projects are not routinely subject, but can be designated under the **Act** by Cabinet. Federal government projects are not subject.

For Projects that are subject to the **Act** there are three possible ways to ensure that the legislative requirements are met:

1. Individual Assessment
2. Class Assessment
3. Exemption

Each of these are described in the following pages.

Individuals, groups or agencies concerned about the application of the **Act** to a specific project should contact the Environmental Assessment Branch.

Inquiries should be made to:

Environmental Assessment Branch
Ministry of the Environment
135 St. Clair Ave. West,
Toronto, Ontario
M4V 1P5

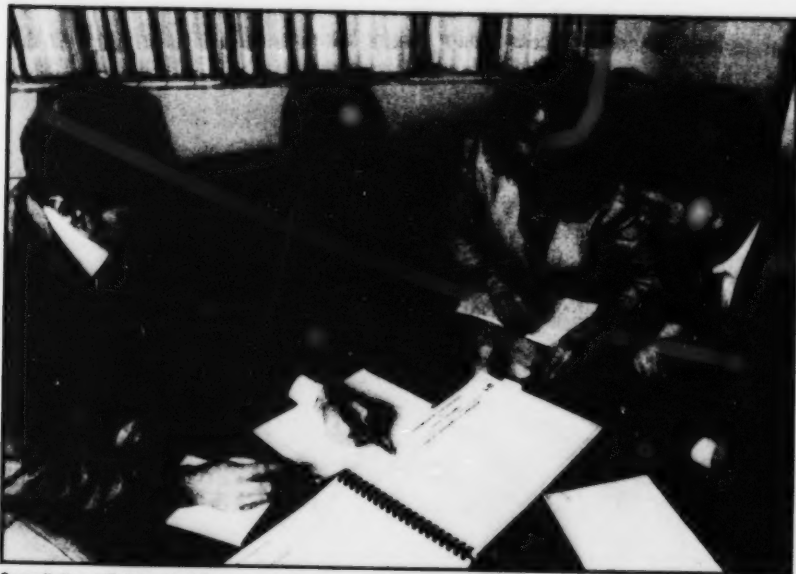
(416) 323-4629 (general inquiries)

INDIVIDUAL ENVIRONMENTAL ASSESSMENTS

AN OVERVIEW OF THE ENVIRONMENTAL ASSESSMENT PROCESS

A proponent whose project is subject to the **Act** is required to submit an environmental assessment document to the Minister of the Environment for review, acceptance and approval. The key steps in the environmental assessment process are:

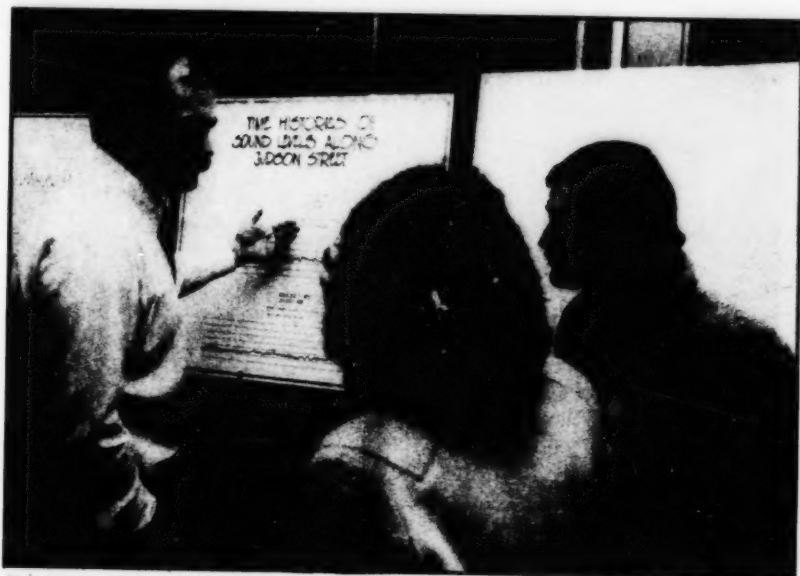
1. The proponent consults with the Environmental Assessment Branch on the Act's requirements.
2. The proponent consults with interested Government Ministries, agencies, and public groups and deals with their concerns.
3. The proponent prepares the environmental assessment document.
4. The proponent submits it to the Minister of the Environment.



Consultation with interested Government Ministries and agencies is crucial in preparing the environmental assessment document.

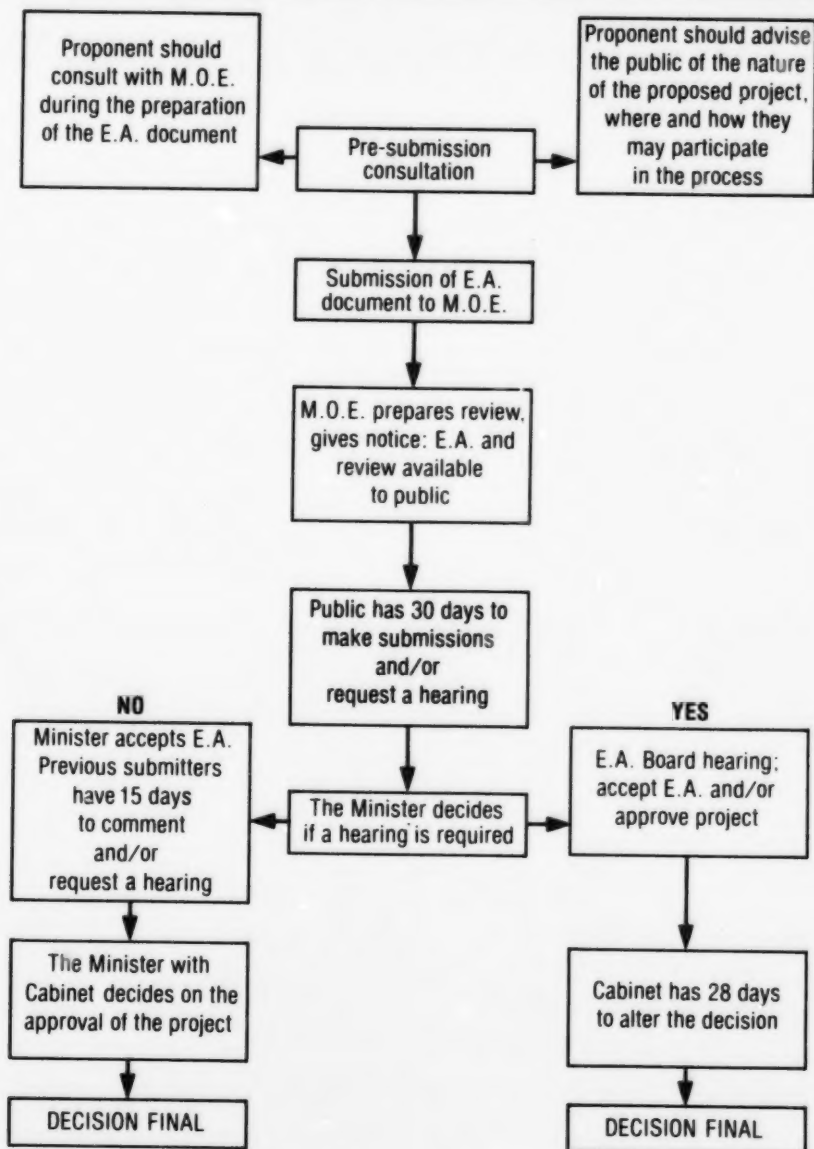
5. The Environmental Assessment Branch conducts a review of the document by consulting with those Ministries, agencies, and groups which have an interest in the proposed project.
6. A review is published and the public is invited to make submissions on the project. A hearing before the Environmental Assessment Board can be requested at this stage. Written reasons for the hearing should accompany the request. Hearings are held at the Minister's discretion.
7. The Minister accepts the environmental assessment document or calls for further research or revisions.
8. The Minister of the Environment, or the Environmental Assessment Board, decides whether or not to approve the project. A Board decision can be appealed within 28 days and can only be altered by Cabinet.
9. If approval is granted the proponent can proceed with the project. Terms and conditions may apply.

A chart showing the opportunities for public involvement in the environmental assessment planning process is on the facing page.



Open houses give the public an opportunity to comment on a proposed project.

PUBLIC PARTICIPATION IN THE ENVIRONMENTAL ASSESSMENT PROCESS



NOTE: E.A. refers to Environmental Assessment
M.O.E. refers to Ministry of the Environment

THE ENVIRONMENTAL ASSESSMENT DOCUMENT

The environmental assessment document describes the proponent's planning process and key decisions. The contents of the environmental assessment are defined by the **Environmental Assessment Act**.

The environmental assessment document must:

1. Describe the project.
2. State and describe the reasons behind the project, alternatives to the project, and alternate means of carrying it out.
3. Describe how the project, its alternatives, and alternate means of carrying it out, will affect the environment directly and indirectly.
4. Describe the effects and list the actions necessary to prevent change, lessen, or remedy those effects.
5. Evaluate the advantages and disadvantages to the environment of the project, its alternatives, and the alternate means of carrying it out.

REVIEW

The environmental assessment document is reviewed by all affected government agencies after it is submitted to the Ministry of Environment. Review comments are then made available to the public along with the environmental assessment. The public has 30 days in which to make a submission to the Minister and/or request a hearing.

HEARINGS

ENVIRONMENTAL ASSESSMENT BOARD

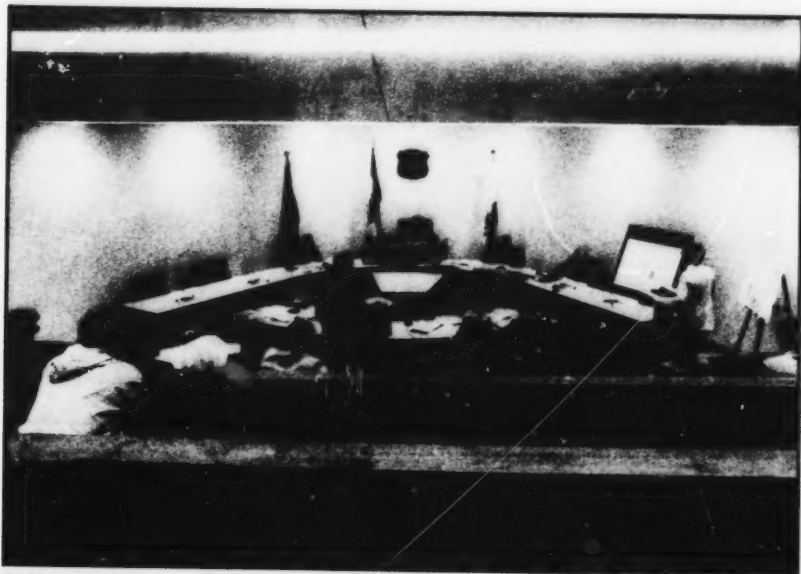
The Environmental Assessment Board is a decision-making body appointed by the Cabinet. It has the power to decide on the acceptability of environmental assessment documents and the approval of projects.

The Minister of the Environment can require a hearing on the acceptance of the assessment document, or the approval of a project, or both. Proponents and members of the public may also request a hearing by the Board on these same matters.

Board decisions are final, unless an appeal to Cabinet is made within 28 days.

CONSOLIDATED HEARINGS ACT

Some projects may require approval under other legislation. To avoid the time and expense of multiple hearings proponents can apply for a joint board hearing, also called a consolidated hearing, under the **Consolidated Hearings Act**.



Environmental Assessment Board hearings are held at the Minister's discretion.

CLASS ENVIRONMENTAL ASSESSMENTS

There are many provincial and municipal projects which occur frequently and have a predictable range of relatively minor effects on the environment. The class environmental assessment was developed to achieve a reasonable application of the **Act** to these types of projects. Individual projects in a class do not need their own environmental assessment approval.

The approved class environmental assessment document describes the procedures that each class project must follow during planning and construction. It also requires public involvement in the planning of the project and documentation of the planning process.

Provisions exist for the public to request an individual assessment of projects if significant environmental effects and public concern are evident.



Road widening projects have a predictable range of minor environmental effects.

EXEMPTIONS

A project can be exempted from the **Act** under certain circumstances. Projects having minimal anticipated environmental effects are eligible for exemption. An exemption may also be granted by Cabinet where the project is in the public interest, or in emergency situations. Proponents are advised by the Environmental Assessment Branch to inform the public when seeking exemptions for individual projects.

A request for an exemption should be accompanied by a detailed description of the environmental effects of the project, public and government involvement in the planning of the project, and any other matters considered relevant to the application. Cabinet may impose conditions on the project after reviewing this material.

DESIGNATIONS

Projects to which the **Act** does not apply can be designated by Cabinet if significant environmental effects are anticipated. A written request with reasons for designation should be submitted to the Minister. The proponent should also be informed of the designation request.

ENVIRONMENTAL ASSESSMENT ADVISORY COMMITTEE

The Environmental Assessment Advisory Committee is made up of members of the public that are appointed to provide advice to the Minister of the Environment, on designating or exempting projects, or on other matters concerning the **Act**. The Minister may ask the committee to consult affected parties and interest groups. Often a public meeting is held. The Committee submits a report to the Minister which is made available to the public after the Minister has made a decision on the exemption or designation request.

PUBLIC RECORD

An environmental assessment is a public document when submitted to the Minister of the Environment. When public notice is issued the government review is also open to public inspection.

Any written submissions, any decisions of the hearing board or the Minister, and any relevant notices or orders by the Minister, are also on the Public Record, as is any notice by the proponent concerning withdrawal or amendment of the environmental assessment document.

The Public Record is maintained at the Environmental Assessment Branch. Reference copies of the assessment document and the review are available at local Ministry offices as long as the project is active. Copies of key documents are also available at local municipal offices and other local institutions to ensure good public access.



The Environmental Assessment Branch maintains the Public Record.

The following offices of the Ministry of the Environment can be contacted for information concerning specific environmental assessments.

Northwestern Region

P.O. Box 5000
435 James St. South
3rd Floor
Thunder Bay, Ontario
P7C 5G6
(807) 475-1205

Northeastern Region

199 Larch Street
11th Floor
Sudbury, Ontario
P3E 5P9
(705) 675-4501

Southwestern Region

985 Adelaide Street South
London, Ontario
N6E 1V3
(519) 661-2200

Southeastern Region

P.O. Box 133
133 Dalton Street
Kingston, Ontario
K7L 4X6
(613) 549-4000

Central Region

7 Overlea Blvd.
4th Floor
Toronto, Ontario
M4H 1A8
(416) 424-3000

West Central Region

P.O. Box 2112
119 King Street West
12th Floor
Hamilton, Ontario
L8N 3Z9
(416) 521-7640

Environmental Assessment Branch

135 St. Clair Avenue West
Toronto, Ontario
M4V 1P5
(416) 323-4629

NOTE: Prior notice to review files is appreciated.

RESOURCES

Environmental Assessment Act, 1980.*

Consolidated Hearings Act, 1981.*

***AVAILABLE FROM:**

Ontario Government Bookstore
880 Bay Street
Toronto, Ontario
M7A 1N8
In Toronto: 965-6015
Other Communities: 1-800-268-7540
Area code: 807 Zenith: 67200

*Guidelines on Making Application for an Exemption under the
Environmental Assessment Act.*

General Guidelines for the Preparation of Environmental Assessments.

*Guidelines on the Role of the Review, the Review Coordinator and the
Reviewers in the EA Process.*

*Guidelines for Pre-Submission Consultation associated with the
Environmental Assessment Act.*

EA Update (A bi-annual publication of the Environmental Assessment Branch).

A Proponent's Guide to Environmental Assessment.

FOR INFORMATION CONTACT:

Environmental Assessment Branch
Ministry of the Environment
135 St. Clair Avenue West
Toronto, Ontario
M4V 1P5
(416) 323-4629